

REMARKS/ARGUMENTS

The Office Action mailed February 22, 2007, (“the Office Action”) has been received and its contents carefully considered. Claims 1-20 are pending. Claims 10-20 have been withdrawn from consideration.

The Applicant has thoroughly reviewed the outstanding Office Action including the Examiner’s remarks and the references cited therein. The following amendments and remarks are believed to be fully responsive to the Office Action. All the pending claims at issue are believed to be patentable over the cited references. Withdrawal of outstanding objection and rejections is respectfully requested in view of the forgoing amendments and the following remarks.

REJECTIONS UNDER 35 U.S.C. § 112

The rejection of claim 1 and the claims that depend therefrom as being indefinite has been addressed by replacing the term “complimentary” (sic) with “corresponding.” Support for this amendment is to be found, at least, at paragraph 27 and FIGS. 1, 2, and 4.

REJECTIONS UNDER 35 U.S.C. § 102(e) (U.S. 2004/0079208 to John V. Carlson et al.)

Claim 1 stands rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. 2004/0079208 to John V. Carlson et al. (Hereinafter referred to as, “Carlson”). The Applicant respectfully submits that the amendments to claim 1 obviate the foregoing rejection. Accordingly, the Applicant requests reconsideration and withdrawal of the rejection to claim 1 and the claims that depend therefrom for at least the following reasons.

Claim 1 recites, *inter alia*, the anvil compris[es] ... a groove disposed upon the surface and coinciding with the path, the groove having a curved profile corresponding to the curved profile of the tip, wherein a backing of the backed ply material is urged into the groove during the cutting operation. Carlson does *not* disclose a grooved anvil. Instead, as noted in the Office Action, Carlson discloses a curved recess in the backrail. The curved recess is to provide an area to park or rest the cutting tip without damage to the edge. The curved recess does not provide support during the cutting operation and the backing is not drawn into the curved recess during cutting operation. Instead, Carlson discloses a flat cutting surface. *See figures 1, 3, 4, and 5A-5C.* As such, Carlson at least fails to disclose the groove as recited in claim 1 of the present invention. Therefore, the present invention is patentably distinct from Carlson.

In view of the foregoing, withdrawal of the 35 U.S.C. § 102(e) rejection to claim 1 as being anticipated by Carlson is respectfully requested.

REJECTIONS UNDER 35 U.S.C. § 103(a) (Carlson in view of U.S. Patent No. 5,480,508 to Takao Manabe et al.)

Claim 1 stands rejected under 35 U.S.C. § 103(a) as being anticipated by Carlson in view of U.S. Patent No. 5,480,508 to Takao Manabe et al. (Hereinafter referred to as, “Manabe”). The Applicant respectfully submits that the amendments to claim 1 obviate the foregoing rejection. Accordingly, the Applicant requests reconsideration and withdrawal of the rejection to claim 1 and the claims that depend therefrom for at least the following reasons.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge already available to one of ordinary skill in the art, to modify the reference or to

combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all of the claimed limitations. See MPEP § 2143.

A *prima facie* case of obviousness has not been made in that Carlson and Manabe, alone and in combination fail to teach or suggest the invention as recited in claim 1 of the present application.

As described hereinabove, claim 1 recites, *inter alia*, the anvil compris[es] ... a groove disposed upon the surface and coinciding with the path, the groove having a curved profile corresponding to the curved profile of the tip, wherein a backing of the backed ply material is urged into the groove during the cutting operation. Also described hereinabove, Carlson does *not* disclose a grooved anvil and instead, discloses a flat anvil only. Manabe fails to make up for the deficiencies of Carlson. Manabe is directed towards a laminating device. The laminating device includes a cutting assembly. However, like Carlson, Manabe discloses a flat anvil and does not disclose a groove along the cutting path. Manabe does disclose a curved cutting profile in figures 10B and 10C. However, as Manabe does not disclose a grooved anvil, Manabe clearly does not disclose a groove having a profile that corresponds to the profile of the cutter. Therefore, the present invention is patentably distinct from Carlson.

In view of the foregoing, withdrawal of the 35 U.S.C. § 103(a) rejection to claim 1 as being anticipated by Carlson and Manabe is respectfully requested at least because these documents fails to teach or suggest a groove disposed upon the surface and coinciding with the path, the groove having a curved profile corresponding to the curved profile of the tip, wherein a backing of the backed ply material is urged into the groove during the cutting operation as recited in claim 1.

REJECTIONS UNDER 35 U.S.C. § 103(a) (Carlton in view of U.S. Patent No.: 3,683,736 to Guenter H. Loose)

Claims 2-4 stand rejected under 35 U.S.C. § 103(a) as being anticipated by Carlton in view of U.S. Patent No.: 3,683,736 to Guenter H. Loose. Initially, the Applicants note that claims 2-4 depend from independent claim 1 and that claim 1 is believed to be patentable for at least the reasons stated hereinabove. Applicants further note that any claim that depends from an allowable claim is also allowable. Therefore, Applicants respectfully request that the rejection to claims 2-4 be removed.

REJECTIONS UNDER 35 U.S.C. § 102(e) (Carlton or in the alternative U.S. Patent No.: 6,720,058 to Weeks et al.)

Claim 5 stands rejected under 35 U.S.C. § 102(e) (Carlton or in the alternative U.S. Patent No.: 6,720,058 to Weeks et al. Initially, the Applicants note that claim 5 depends from independent claim 1 and that claim 1 is believed to be patentable for at least the reasons stated hereinabove. Applicants further note that any claim that depends from an allowable claim is also allowable. Therefore, Applicants respectfully request that the rejection to claim 5 be removed.

REJECTIONS UNDER 35 U.S.C. § 102(e) (Carlton or in the alternative U.S. Patent No.: 6,720,058 to Weeks et al. and further in view of U.S. Patent No.: 3,645,304 to Thrasher)

Claim 6 stands rejected under 35 U.S.C. § 102(e) (Carlton or in the alternative U.S. Patent No.: 6,720,058 to Weeks et al. and further in view of U.S. Patent No.: 3,645,304 to Thrasher Initially, the Applicants note that claim 6 depends from independent claim 1 and that claim 1 is believed to be patentable for at least the reasons stated hereinabove. Applicants

further note that any claim that depends from an allowable claim is also allowable. Therefore, Applicants respectfully request that the rejection to claim 6 be removed.

REJECTIONS UNDER 35 U.S.C. § 103(a) (Carlton in view of U.S. Patent No.: 6,720,058 to Weeks et al. and further in view of U.S. Patent No.: 5,072,640 to Greve et al.)

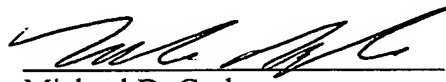
Claims 7-9 stand rejected under 35 U.S.C. § 103(a) as being anticipated by Carlton in view of U.S. Patent No.: 6,720,058 to Weeks et al. and further in view of U.S. Patent No.: 5,072,640 to Greve et al. Initially, the Applicants note that claims 7-9 depend from independent claim 1 and that claim 1 is believed to be patentable for at least the reasons stated hereinabove. Applicants further note that any claim that depends from an allowable claim is also allowable. Therefore, Applicants respectfully request that the rejection to claims 7-9 be removed.

REJECTIONS UNDER 35 U.S.C. § 103(a) (Carlton in view of U.S. Patent No.: 6,720,058 to Weeks et al. and U.S. Patent No.: 5,072,640 to Greve et al. further in view of U.S. Patent No.: 4,438,698 to Sullivan, Jr. et al.)

Claim 7 stands rejected under 35 U.S.C. § 103(a) as being anticipated by Carlton in view of U.S. Patent No.: 6,720,058 to Weeks et al. and U.S. Patent No.: 5,072,640 to Greve et al. further in view of U.S. Patent No.: 4,438,698 to Sullivan, Jr. et al. Initially, the Applicants note that claim 7 depends from independent claim 1 and that claim 1 is believed to be patentable for at least the reasons stated hereinabove. Applicants further note that any claim that depends from an allowable claim is also allowable. Therefore, Applicants respectfully request that the rejection to claim 7 be removed.

In view of the foregoing, reconsideration and allowance of this application are believed in order, and such action is earnestly solicited. Should the Examiner believe that a telephone conference would be helpful in expediting prosecution of the application; the Examiner is invited to telephone the undersigned at 202-861-1629.

Respectfully submitted,
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